

Magistrate Judge Paula L. McCandlis

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

CASE NO. MJ23-421

Plaintiff,

COMPLAINT

v.

CHRISTIAN J. HEBERT

18 U.S.C. Sections 111(a)(1) & 1114

Defendant.

BEFORE Paula L. McCandlis, United States Magistrate Judge, U.S. Courthouse,
Seattle, Washington.

COUNT 1

(Assault on a Federal Officer or Employee)

On or about August 23, 2023, in King County, within the Western District of Washington, CHRISTIAN J. HEBERT did knowingly forcibly assault, resist, oppose, impede, intimidate and interfere with M.L., a Federal Law Enforcement Specialist with the Federal Protective Service, a person designated in Title 18, United States Code, Section 1114, while M.L. was engaged in the performance of his official duties, and the assault involved punching M.L. in the body and grabbing his firearm.

All in violation of Title 18, United States Code, Section 111(a) and 1114.

The undersigned, Michael Lorah, complainant being duly sworn states:

1. I am employed as a Federal Law Enforcement Specialist with the Federal Protective Service (FPS), assigned to the Seattle Command in Seattle, Washington. I have been a Law Enforcement Specialist with the FPS since August 2020. As part of my daily duties as a Law Enforcement Specialist, I conduct initial and preliminary investigations on criminal violations relating to assault, including violations of Title 18, United States Code, Section 111. I also conduct preliminary investigations on other offenses committed at, or with a nexus to, federal facilities owned or leased by the federal government and federal employees who work at those facilities. I have received training in federal law enforcement from the Federal Law Enforcement Training Center (FLETC) and am a graduate of the Uniform Police Training Program.

2. The information contained in this Complaint is based on my personal knowledge, training, experience, and investigation, as well as information relayed to me by other law enforcement officers and witnesses, and information gleaned from my review of reports and evidence related to this investigation. The discussion below includes only information I believe necessary to establish probable cause that CHRISTIAN J. HEBERT (HEBERT) committed the offense alleged in this Complaint. I do not purport to summarize all the evidence gathered during the course of my investigation, nor does the discussion below include all facts known to me or others involved with this investigation.

SUMMARY OF PROBABLE CAUSE

3. On August 23, 2023, at approximately 10:16 hours, I was conducting a foot patrol at the Park Place Building located at 1200 6th Ave Seattle, WA 98101, which houses federal offices, a federal employee daycare, and the attached park. The building runs adjacent to Freeway Park, a park open to the general public. I regularly patrol Freeway Park when conducting patrols at Park Place Building at the request of the federal

1 employees' daycare, which takes children ranging from two to five years old to the park
 2 daily for outdoor time. The park has posted signs indicating smoking of any kind within
 3 the park is prohibited.
 4

5 4. While patrolling Freeway Park, I observed HEBERT sitting on a raised
 6 concrete area off the walking pathway. He was with a white female. As I approached
 7 HEBERT, I observed him actively smoking what appeared to be powder fentanyl from a
 8 piece of tinfoil. I identified myself as a federal police officer, asked the female to take a
 9 seat, and told HEBERT to place the narcotics next to him. They both complied.

10 5. Based on his open-air narcotics use in the park, I attempted to identify
 11 HEBERT. I asked HEBERT for his name and date of birth, and he responded that he does
 12 not have a name or date of birth. I advised him that I needed to identify him and ensure
 13 he was not a wanted person. Additionally, I let HEBERT know that he would be free to
 14 go so long as he had no felonies or violent misdemeanors pending. I, again, asked him for
 15 his name and date of birth. He replied he did not have a name. I put my notebook away
 16 and told HEBERT that he would be placed in handcuffs until I was able to get Seattle
 17 Police to help identify him.
 18

19 6. As I grabbed HEBERT's left arm with both of my hands to handcuff him,
 20 he tried to tackle me to the ground. When I stayed standing, HEBERT stood up and
 21 began swinging at me. I closed the distance between us and grabbed HEBERT by his
 22 shoulder in an attempt to handcuff him. I successfully took him to the ground and tried to
 23 place the handcuffs on him again when he grabbed my legs with both of his arms. I
 24 stepped back, and HEBERT tried to tackle me to the ground by grabbing my waist. I was
 25 able to grab him from under his arms and take him to the ground once more. HEBERT
 26 quickly stood back up. When standing, he grabbed the handle of my department-issued
 27 firearm, and repeatedly attempted to take it out of my holster. With my right hand, I was
 28 able to retain my firearm in my holster, and I drew my department-issued taser with my

1 left hand. Throughout this entire altercation, I repeatedly advised HEBERT to get on the
 2 ground and stop resisting.
 3

4 7. As I drew my taser, HEBERT flinched and turned away. I deployed my
 5 taser and hit HEBERT in his shoulder and back that he exposed when I pushed him off
 6 me. He then fled northeast further into the park after the taser deployed, towards the
 7 Seattle Convention Center. As he ran, HEBERT removed the probe wires from his back.
 8 I followed on foot and caught up to HEBERT a short distance away. I grabbed his
 9 shoulder, pushed him to the ground, and commanded him to lay down on his stomach. He
 10 refused to do so, tried to stand up, and reached for my taser. I drive-stunned HEBERT
 11 with my taser and commanded him to turn around, get on his stomach, and place his
 12 hands at his sides. He refused to comply. I kept HEBERT detained at taser point until
 13 backup arrived approximately two minutes later.

14 8. FPS Officer Lindsay arrived and assisted with taking HEBERT into
 15 custody. We each grabbed an arm, and I placed handcuffs on HEBERT without further
 16 incident. I conducted a search incident to arrest for weapons and narcotics, none were
 17 found. We escorted HEBERT to the initial location where he was contacted and called
 18 for assistance from the Seattle Police Department (SPD) with identifying HEBERT via
 19 their fingerprint scanner. SPD took HEBERT's fingerprints and identified him as
 20 Christian J. Hebert. HEBERT is also known as Christian Demuth Hebert and Christian
 21 Demuth-Herbert. The Seattle Fire Department arrived, evaluated HEBERT, and removed
 22 the taser probes from his back.

23 9. Once he was medically cleared, I placed HEBERT in my vehicle and read
 24 him his Miranda rights. He acknowledged he understood them and agreed to waive his
 25 rights and speak with me. When asked what he was smoking when I contacted him,
 26 HEBERT stated powder fentanyl. When asked why he fought with me, he stated he had a
 27 bad day. He also indicated that he did not know if he had any outstanding warrants. When

1 asked what he planned to do with my firearm, he responded that he did not think about
2 what he would do if he obtained control of my firearm. When asked if he regretted
3 attempting to take my firearm, he admitted he did. I transported him to the United States
4 Courthouse for processing.

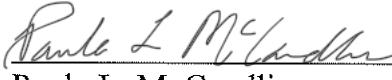
5 **CONCLUSION**

6 10. Based on the above facts, I respectfully submit there is probable cause to
7 believe that HEBERT committed the offense of Assault on a Federal Officer or
8 Employee, in violation of Title 18, United States Code, Sections 111(a)(1) and 1114 on
9 August 23, 2023.

10 
11 MICHAEL LORAH, Complainant
12 Law Enforcement Specialist
13 Federal Protective Service
14

15 The above-named agent provided a sworn statement attesting to the truth of the
16 foregoing Complaint and Affidavit, pursuant to the Federal Rules of Criminal Procedure,
17 Rule 4.1 on this 23rd day of August, 2023. Based on the Complaint and Affidavit, the
18 Court hereby finds there is probable cause to believe CHRISTIAN J. HEBERT
19 committed the offense set forth in the Complaint.
20

21
22 DATED this 24th day of August, 2023.
23

24 
25 Paula L. McCandlis
26 United States Magistrate Judge
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